

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION
www.flmb.uscourts.gov

In Re: James L. Simmons
Debtor

Case No.: 8:17-bk-07286-CPM
Chapter 13

**STIPULATION OF DEBTOR AND SECURED CREDITOR,
HMF FL E, LLC, TO FULLY RESOLVE TREATMENT AND AMOUNT OF CLAIM 8**

Debtor, James L. Simmons, and secured creditor, HMF FL E, LLC (“Creditor”), by and through their undersigned counsel, have agreed to resolve all disputes regarding Creditor’s Claim No. 8, and all amendments and objections thereto, and request that the Court allow Claim No. 8 on the following terms:

1. Claim No. 8 shall be an allowed, secured claim in the amount of **\$4,114.97**. This amount includes all interest, costs, and fees owing to Creditor as of the date of the Stipulation.
2. Creditor will not object to confirmation of a plan under which it will receive payment of the above amount. Upon completion of a plan resulting in payment of the above amount to Creditor, the tax certificates related to Claim No. 8 will be deemed extinguished and satisfied, and the Creditor will voluntarily notify the tax collector as such.
3. Neither party shall seek any costs or fees from the other, other than those already included in paragraph (1). This Stipulation is intended to fully resolve the complete state of the rights of the parties hereto as to all issues relating to Claim No. 8. However, by entering into this Stipulation, neither party admits any fact or legal conclusion regarding the underlying dispute (other than a certain amount of money owing to Creditor.)

4. The Parties hereto request that the final hearing scheduled for September 24, 2018 at 4:00 PM on Debtor's Objection to Creditor's Claim No. 8 (Doc. 21) be cancelled, and that the Court enter an order allowing Creditor's claim on the terms stated herein.

DATED this 21st day of September, 2018.

/s/ Christopher Mat Hittel

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CERTIFICATE OF SERVICE

The undersigned certifies that on this 21st day of September, a true copy of the foregoing was served

via ECF Notification to

The United States Trustee;

Jon Waage, Chapter 13 Standing Trustee;

HMF FL E, LLC, c/o Patrick G. Bryant, Esq.

and via US Mail to

Debtor, James L. Simmons, 4909 30th Avenue East, Bradenton, FL 34208.

/s/ Christopher Mat Hittel

Christopher Mat Hittel, Esq.